

H-8122

1 Amend House File 2281 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. **602.1601A Video conferences in**
5 **judicial proceedings.**

6 1. Upon motion of any of the parties, an initial appearance
7 or arraignment shall be conducted by video conference with the
8 parties and other participants if appropriate technology is
9 available.

10 2. Upon motion of any of the parties, a pretrial conference,
11 scheduling conference, or any other noncontested judicial
12 proceeding shall be conducted by video conference with the
13 parties and other participants, if appropriate technology is
14 available, unless the court orders the proceeding to be held in
15 person for good cause. A court's determination of good cause
16 shall be made separately for each motion.

17 3. Upon motion of any of the parties, a hearing in a
18 criminal, juvenile, or postconviction relief proceeding may
19 be conducted by video conference with the parties and other
20 participants if the hearing is conducted in an efficient manner
21 and the hearing does not prejudice a substantial right of any
22 party, if appropriate technology is available.

23 4. Any party may file a resistance to a motion to hold
24 a judicial proceeding by video conference pursuant to this
25 section.

26 Sec. 2. Section 602.3205, Code 2022, is amended to read as
27 follows:

28 **602.3205 Audio and video recordings.**

29 1. Except as provided in subsection 2 or 3, a certified
30 shorthand reporter's audio and video recordings used solely
31 for the purpose of providing a verbatim written transcript of
32 a court proceeding or a proceeding conducted in anticipation
33 of use in a court proceeding shall be considered the personal
34 property and private work product of the certified shorthand
35 reporter.

1 2. An audio or video recording of a certified shorthand
2 reporter appointed under [section 602.6603](#) shall be provided to
3 the presiding judge or chief judge for an in camera review upon
4 court order for good cause shown.

5 3. *a.* An audio or video recording of a certified shorthand
6 reporter shall be provided to the board upon request by the
7 board if a disciplinary proceeding is pending regarding the
8 certified shorthand reporter who is a respondent under the
9 provisions of [section 602.3203](#) or the rules of the board of
10 examiners of shorthand reporters, [Iowa court rules, ch. 46](#).

11 *b.* The audio and video recordings provided to the board
12 pursuant to [this subsection](#) shall be kept confidential by the
13 board in a manner as provided in [section 272C.6, subsection 4](#).

14 Sec. 3. Section 624.1, subsection 1, Code 2022, is amended
15 to read as follows:

16 1. All issues of fact in ordinary actions shall be tried
17 upon oral evidence taken in open court, except that depositions
18 may be used as provided by law. "Open court" includes the
19 remote testimony of a witness by video conference or other
20 remote means of communication if approved by the court.

21 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate
22 importance, takes effect upon enactment.>

23 2. Title page, by striking lines 1 and 2 and inserting <An
24 Act relating to video conferences in judicial proceedings and
25 certified shorthand reporter audio and video recordings, and
26 including effective date provisions.>

HITE of Mahaska